

EFFECTIVE DATE OF 1989 AMENDMENT

Section 2 of Pub. L. 101-203 provided that: “The amendments made by section 1 [amending this section] shall apply to—

“(1) any claim arising on or after the date of the enactment of this Act [Dec. 7, 1989],

“(2) any claim pending on such date, and

“(3) any claim arising before such date which has not been settled if the time for presenting the claim to the Attorney General under the last sentence of section 3724(a) of title 31, United States Code, has not expired.”

SETTLEMENT OF CLAIMS FOR DAMAGE TO OR LOSS OF PRIVATELY OWNED PROPERTY

Pub. L. 106-185, §3(b), Apr. 25, 2000, 114 Stat. 211, provided that:

“(1) IN GENERAL.—With respect to a claim that cannot be settled under chapter 171 of title 28, United States Code, the Attorney General may settle, for not more than \$50,000 in any case, a claim for damage to, or loss of, privately owned property caused by an investigative or law enforcement officer (as defined in section 2680(h) of title 28, United States Code) who is employed by the Department of Justice acting within the scope of his or her employment.

“(2) LIMITATIONS.—The Attorney General may not pay a claim under paragraph (1) that—

“(A) is presented to the Attorney General more than 1 year after it accrues; or

“(B) is presented by an officer or employee of the Federal Government and arose within the scope of employment.”

§ 3725. Claims of non-nationals for personal injury or death in a foreign country

(a) The Secretary of State may settle, for not more than \$1,500 in any one case, a claim for personal injury or death of an individual not a national of the United States in a foreign country in which the United States exercises privileges of extraterritoriality when the injury or death is caused by an officer, employee, or agent of the United States Government (except of a military department of the Department of Defense or the Coast Guard). An officer or employee of the Government may not present a claim. A claim under this section may be allowed only if it is presented to the Secretary within one year after it accrues.

(b) The Secretary shall certify to Congress a settlement under this section for payment out of an appropriation that may be made to pay the settlement. The Secretary shall include a brief statement on the type of the claim, the amount claimed, and the amount of the settlement.

(c) A claim may be paid under this section only if the claimant accepts the amount of the settlement in complete satisfaction of the claim against the Government.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 975.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3725(a)	31:224a(words before 21st comma, 1st, 2d provisos). 31:224a(note).	Feb. 13, 1936, ch. 67, 49 Stat. 1138. July 3, 1943, ch. 189, §7, 57 Stat. 374. Dec. 28, 1945, ch. 597, §1, 59 Stat. 662. Dec. 28, 1945, ch. 597, 59 Stat. 662, §5(1st sentence); added Mar. 20, 1946, ch. 104, 60 Stat. 56.

HISTORICAL AND REVISION NOTES—CONTINUED

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3725(b)	31:224a(words between 21st comma and 1st proviso).	
3725(c)	31:224a(last proviso).	

In subsection (a), the word “settle” is substituted for “consider, adjust, and determine” for consistency. The words “United States currency” are omitted as surplus. The words “after February 13, 1936” are omitted as executed. The words “act of omission of any” are omitted as surplus. The words “(except of a military department of the Department of Defense or the Coast Guard)” are substituted for “including all officers, enlisted men, and employees of the Army, Air Force, Navy, and Marine Corps” because of 10:2734, section 7 of the Act of July 3, 1943 (ch. 189, 57 Stat. 374), and sections 1 and 5(1st sentence) of the Act of December 28, 1945 (ch. 597, 59 Stat. 662). The words “An officer or employee of the Government may not present a claim” are substituted for 31:224a(1st proviso) for consistency and to eliminate unnecessary words. The words “by the Secretary of State” are omitted as surplus.

In subsection (b), the word “settlement” is substituted for “amount as may be found to be due to any claimant . . . as a legal claim” for clarity and consistency. The words “by Congress” are omitted as surplus.

In subsection (c), the words “A claim may be paid under this section” are added for clarity. The words “of the settlement” are substituted for “determined under the provisions of this section” for consistency and to eliminate unnecessary words. The word “complete” is substituted for “full” for consistency. The word “satisfaction” is substituted for “settlement” for clarity.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 3726. Payment for transportation

(a)(1) Each agency that receives a bill from a carrier or freight forwarder for transporting an individual or property for the United States Government shall verify its correctness (to include transportation rates, freight classifications, or proper combinations thereof), using prepayment audit, prior to payment in accordance with the requirements of this section and regulations prescribed by the Administrator of General Services.

(2) The Administrator of General Services may exempt bills, a particular mode or modes of transportation, or an agency or subagency from a prepayment audit and verification and in lieu thereof require a postpayment audit, based on cost effectiveness, public interest, or other factors the Administrator considers appropriate.

(3) Expenses for prepayment audits shall be funded by the agency’s appropriations used for the transportation services.

(4) The audit authority provided to agencies by this section is subject to oversight by the Administrator.

(b) The Administrator may conduct pre- or post-payment audits of transportation bills of any Federal agency. The number and types of